

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ARIUS HOPKINS,

Movant,

-against-

23-cv-10667 (LAK)

[17-cr-791 (LAK)]

UNITED STATES OF AMERICA,

Respondent.

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ORDER

LEWIS A. KAPLAN, *District Judge*.

On February 7, 2024, the Court directed Movant “to submit the [28 U.S.C. §]2255 motion and memorandum he claims to have signed previously and mailed to the Court . . . within fourteen days of the date of this order.” Dkt 4. He has not done so.

Accordingly, Movant’s motion (Dkt 1) pursuant to Section 2255 for “[v]acatur of [his] sentence or a hearing on [his] claims” and for “appoint[ment of] a new attorney is denied because his motion was submitted without a signature in violation of Rule 11(a) of the Federal Rules of Civil Procedure. *See also* Local Civil Rule 11.1(a).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purposes of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

The Clerk shall close the case.

SO ORDERED.

Dated: March 4, 2024



Lewis A. Kaplan
United States District Judge